

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
) Confirmation No: 7474
)
) Group Art Unit: 2145
)
Serial No.: 10/650,638)
)
) Examiner: Swearingen, Jeffrey R.
Filed: August 28, 2003)
)
) Atty. Docket No.: 300203301-2
For: Method and System for Content Authoring)

REPLY BRIEF RESPONSIVE TO EXAMINER'S ANSWER

Mail Stop: Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The Examiner's Answer mailed April 29, 2009 has been carefully considered. In response thereto, please consider the following remarks.

AUTHORIZATION TO DEBIT ACCOUNT

It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 08-2025.

REMARKS

The Examiner has provided in the Examiner's Answer various responses to arguments contained in Appellants' Appeal Brief regarding the aforementioned rejections of claims 1-24 under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Li* (U.S. Patent No. 6,345,279) in view of *Kraus* (U.S. Patent No. 6,266,684).

Although the Examiner's Answer has added some additional remarks in response to Appellants' arguments, the substance of the rejections and the Examiner's positions have not changed. Accordingly, Appellants stand behind the arguments set forth in the Appeal Brief. In addition, Appellants address selected responses in the following.

On page 7 of the Examiner's Answer, the Examiner states that *Li* discloses giving a priority to each content item and attributing a value to each version of a content item. In reviewing the reference, *Li* discloses that "the content items 120 of a multimedia document 100 are transcoded (250) into multiple modality and fidelity versions to generate a set 340 of InfoPyramids 280." See cols. 5-6, lines 66-2. *Li* further discloses, to best satisfy the capabilities of a client device, a "content adaptation process 350 uses the client profile 310 to select from among the InfoPyramids 280 the versions 374 that best satisfy the particular client profile," where the client profile "lists the capabilities 320 and resources 330 of the device." See col. 6, lines 3-4 and 42-48.

In addition, *Li* states that a "priority may be assigned to items based on subjective or objective importance. In any case, let P_i be the priority assigned to [content] item i." Col. 7, lines 32-33. Further, *Li* states that a value is a subjective measure of fidelity,

where fidelity is a measure of a perceived value of a transcoded version of a content item versus the perceived value of the original version of the content item. See col. 7, lines 36-50. *Li* further describes that a prioritized value of an InfoPyramid is the priority of a content item multiplied times the value of the content item and that “client resources 320 are allocated by maximizing, or at least substantially maximizing, the sum of prioritized values of the InfoPyramids of all content items such that the client resources are not exceeded.” See col. 7, lines 61-67.

In contrast, claim 1 recites “labelling the choices of content for a web page to indicate to a server approved combinations of content for the first content portion of the web page with content for the second content portion of the same web page, wherein the web page is produced for serving to a requesting user by incorporating an approved combination of content for the first content portion of the web page and the second content portion of the same web page.” As such, *Li* does not disclose that a combination of content for a first content portion and a second content portion of a web page are defined and labeled. For example, *Li* does not disclose that choices of content are labeled to indicate, as an example, that a particular version of a video file in a first portion of a document should be combined with a particular version of an audio file in a second portion of the document. Rather, *Li* discloses that any combination of versions of content items of the original document 100 is acceptable as long as they are capable of being displayed by a client device.

For at least these reasons (and the reasons described in Appellants’ Appeal Brief), *Li* in view of *Kraus* fails to teach or suggest at least “labelling the choices of content for

a web page to indicate to a server approved combinations of content for the first content portion of the web page with content for the second content portion of the same web page, wherein the web page is produced for serving to a requesting user by incorporating an approved combination of content for the first content portion of the web page and the second content portion of the same web page,” as recited in claim 1.

As a result, the Examiner’s rejection of claim 1 is deficient and *Li* in view of *Kraus* does not teach or suggest the subject matter of independent claim 1 under a 35 U.S.C. § 103(a) standard. Using similar reasoning, the cited art also does not teach or suggest the subject matter of remaining claims 2-24, as previously described in the Appeal Brief. Therefore, for the reasons presented herein and the reasons earlier presented in the Appeal Brief, the cited reference is deficient in disclosing claimed features, and the arguments set forth in the Appeal Brief still stand. The rejections of the pending claims should be overturned.

In summary, it is Appellants’ position that Appellants’ claims are patentable over the applied cited art reference and that the rejection of these claims should be withdrawn. Appellants therefore respectfully request that the Board of Appeals overturn the Examiner’s rejection and allow Appellants’ pending claims.

Respectfully submitted,

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